IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 673 OF 2005

KETTY SAVAK SUNTOKE & ANR. .. PETITIONERS

Vs.

MANJULABEN BAFNA & ANR. .. RESPONDENTS

Mr. U. S. Jain for Ankit Bhatt for petitioners

Mr. Jayal Guha for R-1

CORAM:-SMT. RANJANA DESAI, J.

DATED:-21-3-2005

P.C.

The petitioners are senior citizens. Petitioner 1 is 78 years old and petitioner 2 is 65 years old.

2. In this petition it is prayed that R.A.E. Suit No. 312/539 of 2002

filed by the petitioners which is pending on the file of the Small Causes Court at Mumbai be directed to be disposed of within a stipulated time.

3. I have heard the learned counsel for the parties.

4. It is the petitioners' case that the respondents are delaying the case. It is the respondents' case that in fact the petitioners have taken a long adjournment and the allegations made by the petitioners are not true. It is not necessary for me to go into these allegations and counter allegations.

5. In my opinion, considering the fact that the petitioners are senior citizens, interest of justice will be served if R.A.E. Suit No. 312/539/02 which is already expedited is directed to be heard and disposed of within a time frame laid down by this court. Hence the following order.

6. The Small Causes Court is directed to hear and dispose of R.A.E. Suit No. 312/539/02 as expeditiously as possible and at any rate within a period of ten months from the date of receipt of this order by it.

7. The parties are expected to co-operate.

8. Petition disposed of.

9. Parties to act on authenticated copy of this order.